

How to Get an Old Age Pension

**The Act & Regulations Clearly
Explained by
Philip Snowden
M.P.**



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will show that the problem has been examined in all its bearings.

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How to Get an Old Age Pension.

The Old Age Pensions Act, 1908, comes into force on the first of January 1909.

The Act applies to women on the same terms as men. Wherever the word "he" is used in this pamphlet the word "she" is meant also.

In order that persons entitled to pensions may be able to get their first pension as soon as the Act comes into force, the claim must be made beforehand so as to give the Pension Officer plenty of time to make the necessary enquiries before giving his report or certificate.

All persons who will be Seventy years of age on the 1st of January, 1909, and who are in other respects qualified for a pension, must make their claim as soon as possible after the end of September, 1908. A person should *not* wait until he or she is 70 before making the claim. The claim should be made three or four months before reaching 70, so that there will be time to get all settled before the person is entitled to begin to draw the pension. There is no back payment. So the motto should be, "Be in time with your claim," and so get the pension the first week after reaching Seventy. We will explain later how the claim should be made.

WHO CAN GET A PENSION?

It is only certain persons who will be entitled to Pensions. To get a Pension a person must fulfil the following conditions:

1. He (or she) must be 70 years of age or over before beginning to draw the Pension (the *claim* may be made four months before the person reaches 70).
2. He (or she) must have been a British subject for at least 20 years before drawing a pension.
4. He (or she) must satisfy the Pension Authorities that his yearly income from all sources does not exceed £31 10s. (or about 12s. 1d. a week).

A little further explanation of each of the above-named conditions may be necessary.

THE AGE CONDITION.

In many cases the claimant may have some trouble in proving he is over 70 years of age. In England and Wales, all births have been registered since the 1st of July, 1837. Registration began in Scotland in 1855. A copy of the birth certificate, in all cases registered since the Acts came into force may be obtained by sending a Postal Order for 3s. 7d. to

The Registrar General of Births,

Somerset House,

London, W.C.

or if the birth was in Scotland a sum of 3s. 1d. to the Registrar General of Births, Edinburgh.

In sending for the certificate as full information as possible should be given so as to guide the search.

But the majority of the people who will apply in the first year for pensions would be born before the days of compulsory registration. In many of such cases there is no documentary evidence to prove the date of birth. The Pension Officer is instructed to accept as satisfactory in regard to the age of an applicant, any of the following documents:—

- 1.—Certificate of birth.
2. Certificate of baptism.
3. Certificate of service in any of the forces of the Crown.
4. Certificate of membership of any friendly or provident society or trade union.
5. Certificate of marriage.
6. Any other evidence which appears sufficient for the purpose.

In the event of an applicant being unable to furnish any one of the documents numbered 1, 2, 3, 4, or 5, then such evidence as is mentioned in paragraph No. 6 will be accepted. Of course it is left to the Pension Officer and the Local Government Board to decide whether any evidence of age is satisfactory, but probably an entry in a family bible, or the personal evidence of people who know the applicant will be accepted.*

MUST BE BRITISH SUBJECTS.

Persons born in any part of the British Dominions are British subjects. A foreign-born person who has been naturalised for 20 years is entitled to a pension, if otherwise qualified.

RESIDENCE IN THE UNITED KINGDOM.

This condition is likely to disqualify a large number of persons, who would otherwise be entitled.

This condition has been defined in the Regulations to mean actual presence in the United Kingdom, except for temporary absences, for 20 years before receiving a pension.

Absence from the United Kingdom under the following circumstances shall *not* disqualify:—

- (a) If as a servant of the Crown, as a soldier, sailor, or otherwise, or in the service of anyone so employed; provided that for this provision a person shall not be deemed to be in the service of the Crown unless his remuneration is paid out of monies provided by our Parliament.

*The Attorney General speaking in the House of Commons on this point said:—"In truth when the Bill came into operation there would be many cases in which no sort of proof would be required, because the pension committee in the neighbourhood would know that the applicant was very old. . . . Obviously it would be most undesirable to put every applicant to the strict proof. No doubt the absence of proof would necessitate the giving of pensions to men who were not seventy, but in such cases it would be given to persons who looked and appeared to be 70, and the injustice done in those cases would be very rare."—7th July, 1908.

- (b) If before the absence the person was living in the United Kingdom, and throughout the absence he was serving on board a vessel registered in the United Kingdom. This provision is for the benefit of British sailors.
- (c) If throughout the absence the person had his home in the United Kingdom, but, if notwithstanding that his home was in this country, the total of his absences during his lifetime exceeds eight years, he is not qualified for a pension. This condition does not effect the preceding paragraphs (a) and (b).
- (d). A person in receipt of an old age pension may leave the country for a period not exceeding three months at any one time without losing the right to a pension.

It seems from the strict reading of these regulations, that any person other than a sailor or servant of the Crown, who within 20 years of applying for a pension has given up his home in this country and lived for a short time, say in the United States or Canada, will be disqualified.

THE INCOME CONDITION.

A person whose income from all sources—wages, trade union or friendly society pension, interest on money invested, rent or income from property,—does not amount to more than £31 10s. od. a year is entitled to a pension.

The amount of the pension varies according to the amount of other income the person may have.

The following table will show the amount of the Pension when the income from other sources does not exceed the yearly sum set opposite the rate of Pension.

MEANS OF PENSIONER. (Income from all sources not including Pension.)	Rate of Pension per week.
	s. d.
Where the Means of the Pensioner do not exceed £21 a year, or about 8/1 a week	5 0
Exceed £21, but not exceed £23 12s. 6d. (9/1 a week)	4 0
Exceed £23 12s. 6d, but not £26 5s. (10/1 a week)	3 0
Exceed £26 5s., but not £28 17s. 6d. (11/1 a week)	2 0
Exceed £28 17s. 6d., but not £31 10s. (12/1 a week)	1 0

A person whose means exceed £31 10s. od. will not be entitled to receive a pension.

In calculating the income a person is likely to receive during the coming year an account must be taken of any wages likely to be earned, and interest, rent from property, benefits, and indeed everything except the old-age pension, must be included. If there are no other means of ascertaining what the next year's income is likely to be, the last year's income will be taken as the guide.

Many old persons who have been working up to the present will probably desire to give up doing so now that they can get a pension. No person, whether able or not, will be compelled

to work in order to let the authorities off having to pay a pension. If an aged person continues to work, and if his earnings amount to more than £31 10s. od. for the year, he cannot have a pension. If his earnings added to his income from other sources (excluding pension) do not amount to more than £31 10s. od. for the year, he will be entitled to a pension as set out in the above table.

A pensioner may earn any sum per week for a few weeks of the year provided that the total of the yearly income does not disqualify. For instance, there is nothing to prevent a pensioner from earning 8/- a week all the year round, or 16/- a week for six months, or 32/- a week for three months, or £3 a week for seven weeks, and still getting his 5/- pension, provided that he has no other income. It is not the *weekly* income which is taken into account, but the total income for the YEAR.

In calculating income from the rent of property, the *net* return, after deducting ground rent, taxes, etc., will be the income required.

There is no deduction of the amount of the pension in the case of married people, or two or more pensioners not related, living in the same house.

"In calculating the means of a person being one of a married couple living together in the same house, the means shall not in any case be taken to be a less amount than half the total means of the couple." These are the words of the Act, And to one who is not a lawyer, they are something of a puzzle. They are probably intended to mean that where the husband and the wife are both over 70, and one of them has an income, if it be large enough, it shall be used to deprive the other of a pension. Suppose that the husband is earning regularly, or has an income from other sources, of say 30/- a week, and the wife has no income, then the wife will be deprived of a pension because her means will be taken to be not less than half the total income of the couple, that is 15/- a week. This disqualification will also apply where only one of the couple is over 70 if the total means divided by two is above the income limit.

But on the other hand, if the husband is earning, or has an income of say 14/- a week, this section probably will be used to disqualify him, but the wife will be entitled to the full pension, notwithstanding that half her husband's income will be credited to her.

This will probably be the construction placed on this section, though the opinion is not put forward with assurance.

CHILDRENS' EARNINGS DON'T COUNT.

In calculating the means of parents who are claiming pensions, the earnings of children who may be living with them are *not* taken into account.

PERSONS WHO CANNOT HAVE PENSIONS.

It is not every person over 70 who can claim a pension.

Certain persons are ruled outside. The following classes are *not* entitled to an old age pension:—

1. A person whose income from other sources is over £31 10s. 0d. a year
2. A person who at any time since the first of January, 1908, has received Poor Law Relief, or who hereafter receives any such relief.
3. A person who before reaching the age of seventy has habitually failed to work according to his ability, opportunity, and need for the maintenance of himself, and those legally dependent upon him.
4. A person who is being detained as a pauper or criminal lunatic.
5. A person who has before the passing of the Act been convicted of any offence and ordered to be imprisoned without the option of a fine, shall be disqualified for ten years after he is released from prison. The same disqualification applies to persons who may be similarly convicted afterwards.
6. A person over 60 years of age convicted of habitual drunkenness may, by order of the court, be disqualified for ten years.

THE PAUPER DISQUALIFICATION.

Persons who have received indoor or outdoor Poor Law relief at any time during the year 1908 are excluded from having a pension, even if they have not received relief more than once. Such persons will never be entitled to pensions unless Parliament alters the law in this respect, and the present Government is pledged to do this before 1911. Persons approaching 70 years of age should be careful not to accept Poor Law relief if they wish to be entitled to an Old Age Pension.

RELIEF WHICH DOES NOT DISQUALIFY.

Certain forms of poor relief do not disqualify for a pension. These are:—

- (i) Any medical or surgical assistance (including food or comforts) supplied by or on the recommendation of a medical officer; or
- (ii) any relief given to any person by means of the maintenance of any dependant of that person in any lunatic asylum, infirmary, or hospital, or the payment of any expenses of the burial of a dependant, or
- (iii) any such relief as by law is not a disqualification for registration as a parliamentary elector.

These shall not be considered as poor relief.

CHILDREN'S PAYMENTS TO GUARDIANS.

Where parents have at anytime since the beginning of 1908 received relief from the Guardians, although this relief has been paid by their children through the Guardians, the same

disqualification will apply as if the money had come from the rates. The parents in such cases cannot have old age pensions.

(3) THE INDUSTRY TEST.

The condition laid down in paragraph 3 in the above list of disqualifications, is intended to rule out the chronic idler and wastrel. It was never intended by Parliament to be a character test, but simply a test that a person had not been a shirker and sponger.

It should be clearly understood that it does not impose a thrift test, and any authority which attempts to disqualify a person because he has not been a teetotaller or has not saved is doing an illegal thing. To disqualify under this section it must be proved that the person has been too lazy to work.

But if the claimant for a pension can give certain evidence of thrift, then no question can arise as to the Industry condition. The absence of evidence of thrift is not a disqualification, but evidence of thrift is proof of industry also.

The evidences of thrift which will be accepted as proof of industry are as follows:—

A person shall be regarded as having made proper provision against old age, sickness, infirmity, or want or loss of employment, if he has continuously for ten years up to attaining the age of sixty, by means of payments to friendly, provident, or other societies, or trade unions, or other approved steps, made provision to secure for himself free from any deductions or incumbrances any of the following benefits or advantages:—

- (1). The right to receive during any period of sickness, not less than seven shillings and sixpence a week during the first twenty six weeks (or alternatively not less than fifteen shillings a week for the first thirteen weeks) of the period, and not less than two shillings a week for the remainder of the period:
2. The right to receive not less than five shillings a week during want or loss of employment:
- (3) The right to receive not less than three shillings a week for life either on becoming permanently incapacitated or upon the attainment of any specified age not exceeding seventy.
- (4) The right to receive not less than five shillings a week upon the attainment of any age not exceeding sixty-five until the attainment of the age of seventy:
- (5) The right to receive not less than two shillings a week upon the attainment of any age not exceeding sixty until the attainment of the age of seventy:
- (6) The right to receive a capital sum of not less than fifty pounds upon the attainment of any specified age not exceeding seventy:
- (7) The possession, upon the attainment of the age of sixty, of accumulated savings, or of property pur-

chased out of accumulated savings, to the value of not less than fifty pounds.

Let it be repeated that a claimant for a pension may not be able to show that he has done any one of the above things, but still he will be entitled to a pension unless it can be proved against him that he has been an idler and failed to maintain his family.

In the case of a woman, it is laid down that any provision by way of thrift as laid down above, if made by the husband, shall in the case of married couples living together be treated as provision made by the wife as well as the husband.

(5) THE CRIMINAL.

Little further explanation of the criminal disqualification is needed. It means that any person who has been in prison within the last ten years for a serious offence,—that is without the option of a fine—cannot claim a pension until ten years after coming out of prison. Persons convicted of similar offences in the future will be disqualified during the time they are in prison and for ten years after.

There is nothing in the Act to disqualify or cause the suspension of the pension when a person goes to prison as an alternative to paying a fine.

(6) THE CHRONIC DRUNKARDS.

Where a person over sixty years of age has been convicted four times within twelve months of drunkenness, and is proved to be a habitual drunkard, the court may if they think fit order that the person may be disqualified for a pension for such period not exceeding ten years, as the court direct.

HOW TO CLAIM.

We have now given full particulars as to who are entitled to pensions and who are not. Our next business is to explain to those qualified what to do to get the pension.

After the end of September, 1908, every Post Office in the country will have a supply of Claim Forms. The applicant can obtain one of these forms free of charge. He can take it home and get some friend to fill it up at leisure. But, if he wishes, the Postmaster will fill it up for him without making any charge. It is part of his work to help the old folks to get their pensions. He has received instructions from headquarters to give all the information he can to applicants. Or, the old person can go to the secretary of his Trade Union, or of his Friendly Society, or to the rooms of the local Labour Party, and he will get all the information he wants and his form will be filled up for him free of charge.

At the end of this tract we give a copy of the Claim Form. It would be well to study it beforehand so as to be ready to answer the questions which will be put by the man who fills it up.

If a person knowingly makes a false statement, in his Claim Form in order to get a pension to which he is not entitled he is liable to six months' imprisonment with hard labour.

If the form is filled up at the Post Office it may be left with the Postmaster, whose duty it is to send it to the Pension Officer. In any case it should be delivered to the Postmaster, or sent to the Pension Officer, who is the local Excise Officer.

WHAT IS DONE WITH THE CLAIM.

When the Pension Officer gets the claim form, he will as soon as possible, investigate it. He will probably visit the applicant at his home and put certain questions to him, with the object of finding out if the statements as to age and means are quite correct. If he is satisfied he will report to the Local Pension Committee and this Committee must meet within seven days to consider the claim. The Committee may require further evidence to satisfy them, but in most cases they will probably be satisfied with the report of the Officer. If the Committee passes the claim they must at once send notice to the pensioner that his claim has been granted. In this notice the Committee must state the rate at which the pension has been fixed.

WHEN THE PENSION IS REFUSED.

When the Pension Officer has reported to the Committee against the pension being given, and the Committee agree with this report, the Committee shall not give their final decision on the claim *without giving the applicant an opportunity of being heard*.

In any case in which the pension officer has reported that the claim cannot properly be allowed, and the committee, after considering the claim, agree with the report of the pension officer, the committee shall not give their final decision on the claim without giving the claimant an opportunity of being heard.

If on considering any claim the committee disagree as respects any matter with the report of the pension officer, or if they consider that for any other reason the claim requires further consideration, the committee shall not proceed to give their final decision on the claim without making such further investigation as the committee think necessary, and also, if the case is one in which the committee think the matter ought to be decided adversely to the claimant, without giving the claimant an opportunity of being heard.

The committee may, if necessary for the purpose of making any further investigation or of giving a claimant the opportunity of being heard, adjourn the consideration of any claim, and where the consideration of any claim is so adjourned, an adjourned meeting for the further consideration of the claim shall be held not more than one month after the date of

the original meeting, and the committee shall send notice to the claimant of the adjournment of the consideration of the claim, and of the day fixed for the further consideration of the claim.

The claimant shall be entitled to attend and be heard at any such adjourned meeting, and the committee after hearing the claimant (if he desires to be heard), and, after considering any other evidence or information which they have been able to obtain, shall give their decision on the claim, and shall forthwith send notice of the decision to the pension officer and the claimant.

In any case where a claim is disallowed, the notice to be sent to the claimant under this Regulation shall state the grounds upon which the claim has been disallowed and that the claimant is entitled to appeal to the Local Government Board against the decision of the committee.

THE RIGHT OF APPEAL.

A person whose claim has been refused by the local committee may appeal to the Local Government Board against the decision of the committee. A pension officer may also appeal to the Board against the decision of a committee.

When a claimant decides to appeal to the Local Government Board he must send in a notice to the Board within seven days of receiving the letter from the local committee refusing his pension. He must at the same time send notice to the Clerk of the local Pensions Committee that he has given notice of appeal to the Local Government Board. The notice of appeal to the Local Government Board should be addressed as follows:—

The Secretary,
Local Government Board,
Whitehall, London, S.W.

Pensions' Appeal.

Should the Pension Officer appeal against a decision of the local committee granting a pension, the committee must send notice to the claimant.

IF THE COMMITTEE ARE SLOW.

If the local committee neglect or refuse to consider a claim or to settle a question, the person aggrieved may complain to the Local Government Board by sending a statement in writing specifying the date on which the claim was made. The Board are required to look into the complaint.

The clerk to the local committee will supply to any person desiring to appeal a form of Notice of Appeal, and a Form of Notification to the committee. These forms will be supplied free of charge.

When the Local Government Board receive an appeal they shall cause all necessary enquiry to be made, and when they have arrived at a decision they must notify the local committee, who will send the information to the pension officer and the claimant.

WHEN CIRCUMSTANCES ALTER.

It may often happen that a pensioner's circumstances change. His income may fall off, and he may therefore be entitled to a pension at a higher rate. It is always open to a pensioner to have his case reconsidered. It is so in the case of a person who has been refused a pension. If new evidence can be produced, or circumstances have changed, a new claim should be made to the pension officer.

Where a pensioner wants the rate of his pension increasing he must send a statement to the pension officer, who will investigate the request.

The pension officer himself may at any time raise the question of the continuance of a pension if he thinks the circumstances of the pensioner have so changed that he is no longer entitled to the sum he is receiving.

The pension officer is required to take into consideration any representation made to him by *any* person that a particular pension should be investigated. This is a general power which it is fervently hoped will be more honoured by neglect than attention.

HOW THE PENSION WILL BE PAID.

The pension will be paid weekly on a Friday. It will be paid at the Post Office named by the pensioner in his application.

The Pension Officer will give to every person who has proved his claim to a pension a book of Pension Orders similar to postal orders. The pensioner will require to present one of these pension orders each week at the post office and the pension will be paid.

When the book is finished the pension officer will supply a new book of orders, and with each new book the pensioner will require to sign a statement to the effect that to the best of his belief his yearly means have not increased so as to disentitle him to receive a pension at the old rate.

SOME OTHER POINTS.

The receipt of an Old Age Pension does not disqualify for any political or civil right. Old Age Pensioners who are voters will not be deprived of their votes.

The Old Age Pension cannot be assigned to anybody else. It is not a security for a loan, nor can it be taken for a debt, nor can it pass to creditors in case of the bankruptcy of the pensioner.

If it is discovered that a person has been receiving an Old Age Pension who was not entitled to it, the person, or in case of his death his personal representatives, shall be liable to repay to the Treasury all the sums thus unlawfully obtained.

THE PENSIONS COMMITTEE.

The Local Pension Committee shall be a committee appointed for every borough and urban district, having a popula-

tion according to the last published census for the time being, of 20,000 or over, and for other areas by the county council.

The persons appointed to be members of a local pension committee need not be members of the council by which they are appointed. This provision enables a council to appoint representatives of trade unions, etc., etc., to the local pension committee.

A local pension committee may appoint as many sub-committees as it thinks fit, and it may delegate, either absolutely or under such conditions as it thinks fit, to any such sub-committee any powers and duties of the local pension committee. Such sub-committees may consist either wholly or partly of the members of the committee. It is obviously impossible for the committee to act over a county council area or for a large town. Such sub-committees will be formed very generally, and as they must be largely formed of outsiders, it is very important to try to get them democratically and sympathically constituted.

RULES GOVERNING THE COMMITTEES.

A local pension committee shall consist of such number of persons, not being less than seven nor more than the number of the council by whom the committee is appointed, as the council may determine.

The term of office of a person appointed to be a member of a committee shall be three years or such less term as may be fixed by the appointing council at the time of the appointment.

If any person so appointed is a member of the appointing council, he shall cease to be a member of the committee if he cease to be a member of that council.

A sub-committee shall consist of such number of members, not being less than five nor more than nine, as the committee shall determine.

CONCLUSION.

We have now concluded our explanation of the Act and the Regulations. Every material point has, so far as we are aware, been dealt with.

The Old Age Pensions Act is far from being what the Labour Party would have liked it to be. We endeavoured to get the age reduced to 65; the poor relief disqualification removed; the income limit raised; and many other improvements. For these, and other amendments to the Act, the Labour Party will continue to agitate and work. Meanwhile here is the present Act, and we issue this little guide to help those entitled to its benefits, and we hope, incomplete as the present Act is, that it will bring some measure of comfort into the lives of many deserving old folks.

COPY OF CLAIM FORM.

The Old Age Pensions Act, 1908.

CLAIM TO PENSION.

Note.—Claims should not be made more than four months before the date on which the claimant will attain the age of seventy.

Note.—"If for the purpose of obtaining or continuing an old age pension under this Act, either for himself or any other person, or for the purpose of obtaining or continuing an old age pension under this Act for himself or for any other person at a higher rate than that appropriate to the case, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding six months, with hard labour" (Old Age Pensions Act, 1908, section 9 (r).)

1. Full name of claimant	...	_____	
2. *Home address...	_____	*The postal address in full of the claimant must be given.
3. Occupation	_____	
4. Sex...	_____	
5. Are you single?	_____	
or married?	_____	
or a widower or widow?	_____	
If a married woman or a widow, what was your maiden name?		_____	
6. Age—	Date of birth	_____	
7. †Place where born	...	_____	†Give exact address if possible.
8. Are you a British subject?	...	_____	
9. ‡Have you lived in the United Kingdom for the whole of the last twenty years?	_____	‡If the claimant answers the question in the negative, he will not necessarily be disentitled to a pension.
At what place or places did you live during those years?		_____	
10. How much have you coming in per week in money?	_____	
What are your other means of subsistence (if any)?		_____	
Do you pay rent for the house or lodging in which you live?		_____	

NOTE.—You will subsequently have to furnish any further particulars which the pension officer may require, in order to satisfy himself that you are entitled to a pension.

I have clearly understood the above questions and to the best of my knowledge and belief all the statements made by me in this claim are correct, and so far as I know I am not disqualified for the receipt of a pension.

If my claim is allowed I desire that my pension should be payable at the Post Office at§

§The full address of the post office must be given.

Signature (or Mark) of Claimant _____

Date _____

(Date)

Witness to signature, or (where claimant is unable to write) to mark, of claimant _____

Address of Witness _____

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